

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

FILED BY  D.C.
05 JUN 13 PM 2: 08

GLADYS COX,
Plaintiff

Robert R. Di Tollo
CLERK, U.S. DIST. CT.
W D. OF TN, MEMPHIS

v.
UNITED STATES POSTAL SERVICE and
JOHN E. POTTER, Postmaster General,
Defendants

CIVIL NO. 05-2071 M1/P

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was set for June 16, 2005. Pro se Plaintiff, Ms. Gladys Cox, and Gary A. Vanasek, counsel for the defendant, agreed upon the following dates and these dates are established as final dates for:

1. **Meeting pursuant to Fed.R.Civ.P. 26(f).** The Plaintiff and the undersigned Assistant U.S. Attorney have conferred to plan discovery.
2. **Pre-Discovery Disclosures.** The parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) by July 30, 2005
3. **Discovery Plan.** The parties will need discovery on all the issues raised in the pleadings.

The parties propose the following deadlines.

Amending pleadings and August 15, 2005
Joining Parties

Reports from experts: October 15, 2005, from plaintiff.
November 15, 2005, from defendant.

Completion of discovery: January 15, 2006

Dispositive motions: February 28, 2006

Trial Date set by Court: After April 15, 2006



Pretrial Order Due: Two weeks before trial
Final List of Witnesses and Exhibits Exchanged: Two weeks before trial

Estimated length of trial: 3 days.

4. **Other Items.** Settlement cannot be evaluated prior to the completion of discovery and may be enhanced by a settlement conference with the Magistrate Judge.

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of default or the service of the response, answer, or objection which is the subject of the motion. If default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The Plaintiff has requested a jury trial on the issue of compensatory damages. The pretrial order date, pretrial conference date and trial will be set by the presiding judge. It is anticipated the trial will last three day.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a partie believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

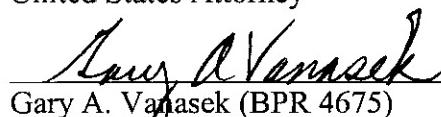


TU M. PHAM
UNITED STATES MAGISTRATE JUDGE
DATE: June 13, 2005

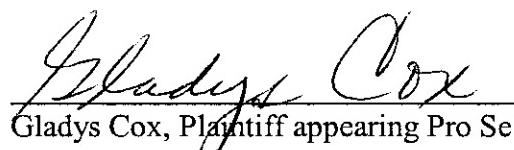
APPROVED:

TERRELL L. HARRIS
United States Attorney

By:



Gary A. Vanasek (BPR 4675)
Assistant United States Attorney
167 North Main Street, Suite 800
Memphis, Tennessee 38103
(901) 544-4231



Gladys Cox, Plaintiff appearing Pro Se

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE



Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02071 was distributed by fax, mail, or direct printing on June 15, 2005 to the parties listed.

Gladys Cox
4148 Hillgate Street
Memphis, TN 38118

Honorable Jon McCalla
US DISTRICT COURT